

CLOSED

**U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:19-cv-01699-BAS-KSC**

Gulyas v. Kaiser
Assigned to: Judge Cynthia Bashant
Referred to: Magistrate Judge Karen S. Crawford
Demand: \$10,000
Case in other court: San Diego Superior Court,
37-02019-00028908-SC-SC-CTL
Cause: 28:1442 Notice of Removal – Suit against Federal Officer

Date Filed: 09/06/2019
Date Terminated: 11/27/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Christopher C. Gulyas**

represented by **Christopher C. Gulyas**
3558 Mt. Abbey Avenue
San Diego, CA 92111
PRO SE

V.

Defendant

Edwin Kaiser
Captain, U.S. Navy

represented by **Kyle Hoffman**
U S Attorneys Office Southern District of
California
Civil Division
880 Front Street
Room 6293
San Diego, CA 92101
(619)546-6987
Fax: (619)235-2771
Email: Kyle.Hoffman@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/06/2019	<u>1</u>	NOTICE OF REMOVAL from San Diego Superior Court, case number 37-2019-00028908-SC-SC-CTL., No Fee Required, filed by Edwin Kaiser. (Attachments: # <u>1</u> Civil cover sheet, # <u>2</u> Exhibit A – State court complaint) The new case number is 3:19-cv-01699-BAS-KSC. Judge Cynthia Bashant and Magistrate Judge Karen S. Crawford are assigned to the case.(jmo) (jao). (Entered: 09/06/2019)
09/06/2019	<u>2</u>	CERTIFICATE OF SERVICE by Edwin Kaiser re <u>1</u> Notice of Removal, (Hoffman, Kyle). (jah). (Entered: 09/06/2019)
09/09/2019	<u>3</u>	ORDER TO SHOW CAUSE Re: Removal. Court orders the United States to show cause as to why removal is timely. Order to Show Cause Response due by 9/20/2019. Signed by Judge Cynthia Bashant on 9/6/2019. (All non-registered users served via U.S. Mail Service) (jah) (Entered: 09/09/2019)
09/12/2019	<u>4</u>	RESPONSE re <u>3</u> Order to Show Cause Re: Removal filed by Edwin Kaiser. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proof of Service)(Hoffman, Kyle). (jah). (Entered: 09/12/2019)
09/12/2019	<u>5</u>	*** WITHDRAWN BY FILER PER NOTICE OF WITHDRAWAL OF DOCUMENT <u>8</u> *** NOTICE Amended Notice of Removal by Edwin Kaiser re <u>1</u> Notice of Removal, (Attachments: # <u>1</u> Proof of Service)(Hoffman, Kyle). Modified on 9/16/2019 – Wrong event. QC Email sent to refile using correct event (jah). Modified on 9/17/2019 – Edited to reflect as withdrawn (jah). (Entered: 09/12/2019)

09/12/2019	<u>6</u>	Ex Parte MOTION for Extension of Time to File Answer by Edwin Kaiser. (Attachments: # <u>1</u> Proof of Service)(Hoffman, Kyle). (jah). (Entered: 09/12/2019)
09/16/2019	<u>7</u>	ORDER granting Defendant Edwin Kaiser's <u>6</u> Ex Parte Motion for Extension of Time to Answer re <u>1</u> Notice of Removal. Defendant Edwin Kaiser shall file answer by 10/21/2019. Signed by Judge Cynthia Bashant on 9/16/2019. (All non-registered users served via U.S. Mail Service) (jah) (Entered: 09/16/2019)
09/16/2019	<u>8</u>	NOTICE OF WITHDRAWAL OF DOCUMENT by Edwin Kaiser re <u>5</u> Notice (Other) filed by Edwin Kaiser. (Attachments: # <u>1</u> Proof of Service)(Hoffman, Kyle). (jah). (Entered: 09/16/2019)
09/16/2019	<u>9</u>	AMENDED NOTICE OF REMOVAL, filed by Edwin Kaiser. (Attachments: # <u>1</u> Proof of Service) (Hoffman, Kyle). (jah). (Entered: 09/16/2019)
10/18/2019	<u>10</u>	MOTION to Dismiss for Failure to State a Claim, MOTION to Dismiss for Lack of Subject Matter Jurisdiction by Edwin Kaiser. (Attachments: # <u>1</u> Proof of Service)(Hoffman, Kyle). (jah). (Entered: 10/18/2019)
11/27/2019	<u>11</u>	ORDER granting Defendant's <u>10</u> Motion to Dismiss for Failure to State a Claim and <u>10</u> Motion to Dismiss for Lack of Jurisdiction. Court grants Plaintiff leave to amend his complaint. Plaintiff must file a complaint that complies with the Federal Rules of Civil Procedure. Plaintiff may file an Amended Complaint by 12/27/2019. Signed by Judge Cynthia Bashant on 11/27/2019. (All non-registered users served via U.S. Mail Service) (jah) (Entered: 11/27/2019)